

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38422 of 2022**

Arising Out of PS. Case No.-217 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

SANTOSH RAI @ SANTOSH KUMAR RAI @ PIPUL RAI Son of Anand
Rai @ Nandji Rai Resident of Village - Banarpur, P.s.- Buxar (Muff.), Distt.-
Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

3 21-09-2022 Heard learned Advocate for the petitioner and

the APP representing the State.

The petitioner seeks bail in connection with
Sessions Trial No. 81 of 2020 corresponding to Buxar
(Muffasil) P.S. Case No. 217 of 2019 dated 21.07.2019
instituted for the offence under Sections 304(B)/34 of
the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected *vide* order 10.03.2021 passed in Cr. Misc. No.
36490 of 2020.

The petitioner is the husband of the deceased,



who is in custody since 16.01.2020.

On an earlier occasion, this Court had called for a report from the court below about the stage of the case which has been received and is kept on record. According to the report till the date of sending the same, five witnesses have been examined and four others including the medical officer are yet to be examined. The next date fixed in the court was 08.08.2022. The delay in the disposal of the case has been attributed to the prevailing pandemic situation.

However, considering the period of custody of the petitioner, this Court directs that the trial be positively concluded within a period of four months from the date of receipt/production of a copy of this order, failing which the petitioner shall have the liberty to approach the trial court for grant of bail during the pendency of the trial and in that event the trial court will be under an obligation to record the reasons for non-conclusion of the trial.



With the afore-noted observation, the petition
stands disposed of.

(Ashutosh Kumar, J)

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